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K. G. G.  
6/17/03

PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

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# Request For Continued Examination (RCE) Transmittal

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|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/710,723        |
| Filing Date            | November 10, 2000 |
| First Named Inventor   | Randall W. Ayres  |
| Art Unit               | 3727              |
| Examiner Name          | Lee Young         |
| Attorney Docket Number | 101151-32201      |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 22, 2003  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

a. ☒ The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501760

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                            |                                   |              |
|---|----------------------------|-----------------------------------|--------------|
| Name (Print/Type)                                   | Charles E. Reidelbach, Jr. | Registration No. (Attorney/Agent) | 36,649       |
| Signature   |                            | Date                              | June 2, 2003 |

| CERTIFICATE OF MAILING OR TRANSMISSION   |                 |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. |                 |
| Name (Print/Type)  | Marianne Bovles |
| Signature  |                 |
| Date   | June 2, 2003    |

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.**

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RCE/3727

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|--|-------------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | <b>Application Number</b>     | 09/710,723        |
|  | <b>Filing Date</b>            | November 10, 2000 |
|  | <b>First Named Inventor</b>   | Randall W. Ayres  |
|  | <b>Group Art Unit</b>         | 3727              |
|  | <b>Examiner Name</b>          | Lee Young         |
| <b>Total Number of Pages in This Submission</b>  | <b>Attorney Docket Number</b> | 101151-32201      |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
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| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | <b>Remarks</b>  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

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|--|--|
| Firm or Individual name                    | Higgs, Fletcher & Mack LLP<br>Charles F. Reidelbach, Jr., Esq. |
| Signature                                  |  |
| Date                                       | June 2, 2003   |

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| Typed or printed name  | Marianne E. Boyles |
| Signature  |                    |
| Date   | June 2, 2003       |

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